

Appl. No. 10/785,487  
Amdt. Dated October 12, 2005  
Reply to Office Action of July 12, 2005

Attorney Docket No. 81864.0029  
Customer No.: 26021

### **REMARKS**

This application has been carefully reviewed in light of the Office Action dated July 12, 2005. Claim 22 remains in this application. Claim 22 is the independent claim. Claim 22 has been amended. Claims 1-21 have been cancelled without prejudice. It is believed that no new matter is involved in the amendments or arguments presented herein. Reconsideration and entrance of the amendment in the application are respectfully requested.

### **Examiner's Comments**

According to the Office Action, Claim 22 recites language, "an insulating layer; a metal sublayer disposed *opposite to* said insulating layer", yet there is nothing recited that the metal layer is opposite from. In response, Claim 22 has been amended to change "opposite to" to "on" as indicated above. Applicant respectfully requests reconsideration of Claim 22, as amended.

### **Art-Based Rejections**

In the Office Action, Claim 22 was rejected under 35 U.S.C. §102(b) over USPN 6,255,813 B1 (Isomura), and Claim 22 was further rejected under 35 U.S.C. §103(a) over USPAPN 2004/0219328 A1 (Tasaki), which is the US equivalent to WO 2003/021610 A1 (Chou). Applicant respectfully traverses these rejections and submits that the claims herein are patentable in light of the clarifying amendments above and the arguments below.

### **The Isomura Reference**

Isomura is directed to a magnetic sensor for detecting a magnetic field strength having an insulator substrate with first and second surfaces opposite to each other. (*See, Isomura, Col. 2, line 59 to Col. 3, line 3*).

### **The Tasaki Reference**

Tasaki is directed to a laminated soft magnetic member having a metal sublayer interposed between an insulating layer and a soft magnetic metal layer. (See, *Tasaki*, Page 2, paragraph [0015]).

### **The Claims are Patentable Over the Cited References**

The present application is generally directed to an electromagnetic wave controlling device and method of manufacturing the same.

As defined by amended independent Claim 22, a soft magnetic member includes a resin film as an insulating layer, a metal sublayer disposed on the insulating layer, and a soft magnetic metal layer disposed on the metal sublayer. The thickness of the metal sublayer is denoted by  $s$ , and the thickness of the soft magnetic metal layer is denoted by  $p$ . The relationships hold:  $4 \leq p/s \leq 15$  and  $100 \text{ nm} < s \leq 1000 \text{ nm}$ .

The applied references do not disclose or suggest the above features of the present invention as defined by amended independent Claim 22. In particular, the applied references do not disclose or suggest, "a resin film as an insulating layer," as required by amended independent Claim 22.

### **The Isomura Reference**

The Office Action purports that Isomura discloses a soft magnetic member comprising an insulating layer 65. (See *Isomura*, FIGS. 12 and 14). However, this insulating layer 65 of Isomura comprises a glass substrate. See, Isomura, (FIG. 12, disclosing a magnetic sensor 73 having a glass substrate 65); (Col. 12, lines 43-48). Similarly, FIG. 14, Isomura discloses a magnetic sensor 77 having a glass substrate 65. (See *Isomura*, Col. 12, lines 61-64). The magnetic sensors 73 and 77 of Isomura are used for MR head and detect impedance variation when high frequency current

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is supplied between the input end and the output end. (*See Isomura, Col. 2, line 59 to Col. 3, line 25*).

In contrast, the claims of the present invention require, “a resin film as an insulating layer”, which is neither disclosed or fairly suggested by Isomura. In the present invention, the soft magnetic member can be used as an electromagnetic wave controlling sheet for information and communications equipment, such as cellular phones. Moreover, the soft magnetic member can improve radiation efficiency of electromagnetic waves emitted to outside the cellular phone, for example, by its antenna. (*See Specification, Page 9, lines 13-19*).

Isomura does not disclose or suggest these features of the present invention as required by amended independent Claim 22.

Since the applied reference does not disclose or suggest the above features of the present invention as required by amended independent Claim 22, those references cannot be said to anticipate nor render obvious the invention which is the subject matter of amended independent Claim 22.

Accordingly, independent Claim 22, as amended, is believed to be in condition for allowance and such allowance is respectfully requested.

#### **The Tasaki Reference**

Claim 22 was rejected over USPAPN 2004/0219328 A1 (Tasaki), which is the US equivalent to WO 2003/021610 A1 (Chou). In response, Applicant respectfully points out that the present application claims priority from Japanese patent applications JP 2003-46595 filed February 24, 2003 and JP 2003-050167 filed February 26, 2003. To perfect this claim of priority, certified English translations of these documents are enclosed herewith. Since the earliest priority date of the present application (February 24, 2003) precedes the publishing dates of both WO 2003/021610 A1 (Chou) published March 13, 2003 and USPAPN 2004/0219328 A1

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(Tasaki) published November 4, 2004, the rejection of Claim 22 under Tasaki and Chou is overcome by this perfected claim of priority of the present application. Reconsideration and withdrawal of these rejections are respectfully requested.

### Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

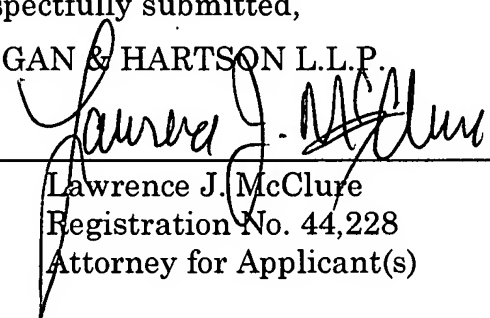
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6809 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

By: \_\_\_\_\_

  
Lawrence J. McClure  
Registration No. 44,228  
Attorney for Applicant(s)

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